IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 3282 OF 2007

Vijay Bhagwan Marne ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr V.N. Shingnapurkar, Advocate for the applicant.

Mr V.N. Nikam, A.P.P for the respondent.

CORAM: V.C. DAGA,J.
DATED: 29.10.2007.

P.C.

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused the application and the material available on record.

3. The applicant-original accused in C. R. No. 82 of 2007, registered with Paud Police Station, Pune for the offence under Sections 420, 468, 465, 470 of the I.P.C. is seeking anticipatory bail under Section 438 of the Cr.P.C.

4. Applicant is a property broker. In the sale deeds, the executants thereof have included property of the present applicant. Just three to four weeks before the execution of the sale deed, some of the entries appear to have been made in the 7-12 extracts maintained by the village Talathi. Taking into

account proximity of the entries and executants of the sale deed and the role of the property broker (the applicant herein), the matter needs to be investigated. Investigation is still going on. At this juncture, it would be relevant to note that this type of complained transactions are becoming rampant which cannot take place without the connivance of the property broker. The actual role of the property broker will have to be investigated. Investigation cannot be arrested, at this stage. In this view of the matter, it would not be in the interest of prosecution to enlarge the applicant on anticipatory bail.

5. I find no reason to take view contrary to the view taken by learned Ad hoc Additional Sessions Judge,Pune while rejecting prayer for bail of the present applicant in M.A. No. 2308 of 2007.

6. In the result, the present application stands rejected.

7. Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

(V.C.DAGA,J)